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presents

U.S. CONSTITUTION TUTOR™

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U.S. CONSTITUTION TUTOR

Objectives and Purpose

To provide content on U.S. government and the U.S. Constitution so that students will understand the concepts and procedures of American government and thereby improve citizenship.

To provide content on U.S. government and U.S. Constitution to prepare students for required tests, often mandated by states at elementary, high-school and college level, for teacher certification and for citizenship requirements.

To provide practice in taking multiple-choice tests under non-stress conditions so that students will be comfortable with this type of experience.

To improve thinking skills: classification of ideas, analysis, synthesis, making generalizations, drawing inferences, etc.

Organization of Content

The multiple-choice questions in this unit on the U.S. Constitution are arranged both by subject and by level of difficulty. If you study by subject (Legislative, Executive, Elections, etc.), you will find the questions arranged within each menu topic somewhat by sub-topic and the easier questions will come first. The experience will be more like a lesson. If you study by difficulty level (Beginner, Intermediate, Advanced) the subject matter will be more "mixed-up," but the experience will be more like a test.

Topics on Side 1:

Legislative Branch 1
Legislative Branch 2

How a Bill Becomes A Law
Executive Branch
Elections
Beginner 1
Beginner 2
Intermediate
Advanced

Legislative Branch includes qualifications and terms of office, powers of Congress, prohibited powers of Congress, officers and procedures, checks and balances.

Executive Branch includes qualifications and terms of office, electoral college and presidential election, roles and powers of the President, checks and balances, Vice-Presidency, impeachment procedure.

Most of the questions in Elections are from Executive Branch with some that do not appear elsewhere.

Questions in Beginner, Intermediate and Advanced are repeats from other sections on this side, but organized by difficulty factor (sometimes an arbitrary decision).

Topics on Side 2:

Judicial Branch 1
Judicial Branch 2
Amendments
Constitutional Principles 1
Constitutional Principles 2
Rights
Beginner
Intermediate 1
Intermediate 2
Advanced 1
Advanced 2

Judicial Branch includes qualifications and terms of office, organization and structure, jurisdiction, procedures, rights.

Amendments deals with that topic and contains some repeats (duplicates) from Judicial Branch and Rights.

Constitutional Principles contains some questions on the history and background of the Constitution, in addition to its main emphasis on the concepts of separation of powers, checks and balances, federalism, protection of rights, limited government.

Rights includes some duplicates from Judicial Branch and Amendments.

Questions in Beginner, Intermediate and Advanced are repeats from the other sections on this side, but organized by difficulty factor.

Note: The IBM version has a modified organization, since there is one menu which obtains questions from both sides of the disk at once and the disk need not be turned even though there is information on both sides. Consequently, the Beginner, Intermediate and Advanced sections are more consolidated. The first Beginner section (first 30 or so questions) is an organized lesson tied closely to the fill-in study questions to be found later in this booklet.

Some Things to Consider

For study hints, see the enclosed leaflet that contains the directions for working the program. For study aids, see later sections in this booklet.

Some of the same questions are in several sections, when they fit the topic. Some decisions had to be somewhat arbitrary,

because of overlapping subject matter and the limitations imposed by the two-sidedness of the disk. The questions overlap because they were designed to test the entire subject, for the most part, rather than individual chapters or topics.

This program is not a textbook approach with which one might begin his study. It assumes that you have studied the subject before working the program. It is intended to help you understand and relate information already learned. It is in a format designed to help you study for your "Constitution test," and not have nervousness prevent you from doing well.

To some extent the questions get increasingly difficult within a subject section. To some extent, sections are organized by sub-topics within each menu choice, but this is not always possible, due again to the overlapping of subject matter. The testing mode mixes up the order of the questions, but has the same questions in it as its corresponding tutorial mode.

You will meet many questions based on teaching the concepts behind American government. To that extent, there is an entire section devoted to this purpose (Constitutional Principles). It is hoped that this will not only increase your understanding of government, but also your thinking skills.

You will find simple vocabulary whenever possible, in the style of a teacher explaining the information to his/her students. Many vocabulary words are explained, but political science vocabularies can be challenging, so consult your government textbook glossary whenever necessary. Understanding the words used is a big key to a complete understanding of government.

Important material is retested in different ways and less important information may appear in only one question. For example, various checks and balances appear extensively throughout the sections, whereas there is only one question

on the less common way of beginning the amendment process.

Due to screen limitations, especially on the help screens, some abbreviations have been used and explanations must be more succinct than in another format.

Help Screens

Help screens attempt to teach ideas and are grouped that way, somewhat like flash cards. For this reason, they are provided in print format in this manual. They may be photocopied and cut into flash-card size for extra practice. Sometimes the help screens "give away" the answer, so when they are presented to you upon a first wrong answer choice, you may want to choose not to read them at this point. You can simply press the space bar and return to the question (or to a drill if one is there). You may then optionally press H for the help screen after another two or three attempts at the question.

It is wise to read all help screens and all explanations for all answer choices. You may obtain these after a correct response. There is much information to be learned from the explanations for the incorrect answer choices.

The Skip Option

The skip feature allows you to enter the program anywhere within a section; no valuable class time or home time will be wasted returning to the place you were at when you last used the program. You must wait for the red light to go off after you have entered a section, before you can press S for Skip. Your score will be kept from the point at which you enter the program and only on those questions you answered.

You may also use the skip feature to become familiar with the contents on the disk. Enter any section in the Tutorial Mode and skip from question to question. This way the questions can be displayed without taking the time to go through the explanations.

Learning vs. Testing

Even if you choose the Tutorial Mode, it's a better testing experience if you take the questions by difficulty levels (Beginner, Intermediate, Advanced), as they will be more "mixed-up" subject-wise than if you choose by topic. Choosing by topic will be a better learning device as the questions are arranged within a topic by sub-topic, but this arrangement will tend to "give away" the answer.

Length of Lessons

The time needed for each lesson will vary greatly, depending upon your purpose. If you are merely testing yourself (even using the Tutorial Mode) and you understand the material, you can complete a section in about 30 minutes to an hour. If you investigate all the wrong answer choices, as many give a lot of new information and re-enforcement, plus viewing and studying the help screens, you may find yourself spending an hour or longer on some of the longer sections, especially if you do not already have a good understanding of the subject. But, you can stop anytime (be sure to write down the number of the question you are on—lower right-hand corner of the screen), even turn off your computer. Next time you are fresh, you may reselect your topic and skip to the question you last read.

Study Aids

It is wise to use the study materials provided within. Except for the help screens which are duplicated from the program, the other materials try to present the same material covered by the program, but give you a different way to study it.

Help screens: Why not copy these, if you have access to a copier, and cut them into flash-card size and use them in this way. They can be taken anywhere and you can use your extra minutes (waiting in a doctor's office or for a bus) to study. Remember, try to say the information to yourself as you remember it from the help screen. Only look at the printed information after you have "talked to yourself." This way, you are testing your recall skills and you are verbalizing the information in your own words, which is one of the most effective ways to study. Merely reading the cards over and over again without trying to explain the material to yourself is not as effective.

Study questions: These are review materials with fill-in and some short answer questions. They are organized somewhat like the beginner and intermediate level questions, if these questions were all on one side of the disk. These cover much of the basic information required on most U.S. Constitution tests. The study questions do not handle the more advanced information .

Test: A matching test is provided for teacher use or self-testing. It also presents in a slightly different way much of the information that is tested within the program and that is generally on U.S. Constitution tests. It is organized by ideas.

Charts: The charts help explain ideas or show relationships.

Study Questions

1. Name the three branches of our national (federal, central) government and tell what each one does.

   The _____ branch _____.

   The _____ branch _____
   _____.

   The _____ branch _____
   _____.

2. Name the person or group that does the job in each branch.

   Branch: _____ Person or group: _____

   Branch: _____ Person or group: _____

   Branch: _____ Person or group: _____
   _____.

3. Our government originally got its power from the _____; however, they still have some power and many rights.

4. A written plan of government is called a _____.

5. Is government's power limited or unlimited? _____ The _____ have reserved or "left-over" power after the federal government has acted.

6. Besides branches, our government is divided another way. It is divided into a central government, called the federal government, and state governments. The federal government governs the whole nation. Each state government takes care of its own state. This division of power is called _____. In this division, the part that has most of the power is the _____ government.

7. To make sure that one branch of government does not overpower the other branch, we have a system of _____, under which one branch can limit the power of the other branch. For example, if Congress passes a law, the President can _____ it. Then Congress, over the President's _____, can pass the law, anyway, by _____.

8. The two houses of Congress are: _____
_____

9. A written idea for a law, before it is passed by Congress, is called a _____. This must be passed by (how much) _____ vote of (how many) _____ house(s) of Congress to become a law. Then the _____ must sign it. How long does he have to sign it before it becomes a law without his signature? _____ If Congress has adjourned and it has not been signed, what happens to it? _____. What is this process called? _____

10. Most of the work on a bill is done in _____.

11. Name the steps for a bill to become a law.

_____
_____
_____
_____
_____
_____
_____
_____

12. What is the elastic clause? _____
_____

13. What is an amendment? _____

14. Name some amendments.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

See help screens or a copy of the Constitution for all the amendments.

15. Who is Commander-in-Chief of the military?

_____

16. Who declares war? _____

17. Who decides if a law is unconstitutional? _____

_____

18. Who writes treaties? _____

19. Who ratifies (OK's) treaties? _____

20. Who appoints heads of departments? _____

21. Who approves (OK's) the heads of departments? _____

_____

22. Who vetoes bills? _____

23. Who appoints Supreme Court judges? _____

24. Who appoints other federal judges? _____

25. Who passes bills by a two-thirds vote after a veto?

_____

26. Who regulates foreign and interstate commerce?

_____

27. What is foreign commerce? _____

28. What is interstate commerce? _____

_____

29. Who enforces court decisions? _____

30. Who can pass taxes? _____

31. Explain how amendments get passed. _____

_____

_____

32. What is the Bill of Rights? _____

_____

33. What are some things that protect the people that are part of the Bill of Rights?

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

(See help screens or first ten amendments for all the rights)

34. List three requirements of a search warrant.

_____

_____

35. How do you calculate how many electoral votes a state gets? _____
_____.

36. How many electoral votes are there? _____
_____

37. What is the difference between the electoral vote and the popular vote? _____
_____
_____
_____.

38. Who takes the place of the President if he dies? _____
_____ Who is third in line? _____

39. What do checks and balances do? _____
_____
_____

40. Name some checks the President has on Congress:
_____
_____
_____
_____

41. Name some checks Congress has on the President:
_____
_____
_____
_____

42. Name some checks Congress has on the Supreme Court:
_____
_____
_____

43. Name some checks the Supreme Court has on Congress:
_____
_____

44. Name some checks the Supreme Court has on the President:

_____

_____

_____

45. Name some checks the President has on the Supreme Court:

_____

_____

_____

_____

(See help screens for a complete list of checks and balances)

46. If the Supreme Court declares a law unconstitutional, what can Congress do to make the law part of the Constitution? _____

47. What are some powers of the states?

_____

_____

_____

_____

_____

_____

_____

48. What are some things the states cannot do?

_____

_____

_____

_____

_____

49. What is impeachment? What is the procedure for impeachment and conviction? _____

_____

_____

_____

_____

_____

50. Which is the highest body of law? _____ How do we know? _____

_____

51.

	House	Senate	President	Supreme Court
Length of term				
How old?				
Citizenship requirements				
Where must they live?				
Head of it: main officer				
Other officers				
What do they do in their job?				
Limitation on length of service? What?				
How many people in this?				

Teacher's Guide to Study Questions

1. Name the three branches of our national (federal, central) government and tell what each one does.

   The __legislative__ branch __makes laws__.

   The __executive__ branch __enforces, or carries out the law__.

   The __judicial__ branch __interprets, or tells what the law means, or decides when the laws have been broken__.

2. Name the person or group that does the job in each branch.

   Branch: __legislative__ Person or group: __Congress__

   Branch: __executive__ Person or group: __President__

   Branch: __judicial__ Person or group: __Supreme Court and other courts__.

3. Our government originally got its power from the __people__; however, they still have some power and many rights.

4. A written plan of government is called a __Constitution__.

5. Is government's power limited or unlimited? __limited__ The __states__ have reserved or "left-over" power after the federal government has acted.

6. Besides branches, our government is divided another way. It is divided into a central government, called the federal government, and state governments. The federal government governs the whole nation. Each state government takes care of its own state. This division of power is called __federalism__. In this division, the part that has most of the power is the __federal__ government.

7. To make sure that one branch of government does not overpower the other branch, we have a system of checks and balances, under which one branch can limit the power of the other branch. For example, if Congress passes a law, the President can veto it. Then Congress, over the President's veto, can pass the law, anyway, by two-thirds vote.

8. The two houses of Congress are: Senate and House of Representatives

9. A written idea for a law, before it is passed by Congress, is called a bill. This must be passed by (how much) majority vote of (how many) two house(s) of Congress to become a law. Then the President must sign it. How long does he have to sign it before it becomes a law without his signature? Ten days If Congress has adjourned and it has not been signed, what happens to it? It doesn't become a law. What is this process called? pocket veto

10. Most of the work on a bill is done in committee.

11. Name the steps for a bill to become a law.
In each house it must be:
introduced
passed by a committee (and sub-committee)
passed by the whole house
sent to a conference committee to iron out the differences between the two versions
sent back for final approval of each house
signed by the President.

12. What is the elastic clause? It enables Congress to make laws that stretch the powers it already has been delegated

13. What is an amendment? a change in the Constitution

14. Name some amendments.

freedom of speech, religion, press, assembly, and freedom to petition

trial rights

no denial of due process

no excessive fines

no cruel or unusual punishment

income tax

direct election of Senators

women's right to vote

Lame Duck

limit on presidential term

no poll tax; electoral vote for Washington, D.C.

presidential disability

18-year-old vote

See help screens or a copy of the Constitution for all the amendments.

15. Who is Commander-in-Chief of the military? President

16. Who declares war? Congress

17. Who decides if a law is unconstitutional? Supreme Court or other Federal Courts

18. Who writes treaties? President

19. Who ratifies (OK's) treaties? Senate

20. Who appoints heads of departments? President

21. Who approves (OK's) the heads of departments? two-thirds of the Senate

22. Who vetoes bills? President

23. Who appoints Supreme Court judges? President

24. Who appoints other federal judges? President

25. Who passes bills by a two-thirds vote after a veto?
Senate and House (or) Congress

26. Who regulates foreign and interstate commerce?
Congress

27. What is foreign commerce? trade with other countries

28. What is interstate commerce? trade between and among the states

29. Who enforces court decisions? President

30. Who can pass taxes? Congress

31. Explain how amendments get passed. two-thirds of each house of Congress passes it and three-fourths of the state legislatures must ratify it.

32. What is the Bill of Rights? first ten amendments to the Constitution which guarantee certain rights

33. What are some things that protect the people that are part of the Bill of Rights?
freedom of speech, press, religion, assembly, and freedom to petition
no quartering of soldiers
due process of law
court rights
trial by jury
no search without search warrant
no excessive fines
no cruel or unusual punishment
other rights that are not listed

(See help screens or first ten amendments for all the rights)

34. List three requirements of a search warrant.
must be issued by a judge, must state the name of the person to be searched and the names of things to be seized

35. How do you calculate how many electoral votes a state gets? Add the number of its Senators and the number of its Representatives.

36. How many electoral votes are there? 538 (100 Senators + 435 Representatives + 3 from Washington, D.C.)

37. What is the difference between the electoral vote and the popular vote? The candidate who gets the majority of popular votes in a state gets all the electoral votes of that state. The candidate who gets the majority of the electoral votes becomes President.

38. Who takes the place of the President if he dies? Vice-President Who is third in line? Speaker of the House

39. What do checks and balances do? limits the powers of the branches of government so that one branch does not get more power than another

40. Name some checks the President has on Congress:
veto bills
deliver messages
carry out laws
call Congress into special session

41. Name some checks Congress has on the President:
Senate approves appointments by majority
Senate approves treaties by 2/3 vote
passes laws over the President's veto
can impeach and convict the President

42. Name some checks Congress has on the Supreme Court:
pass amendments
sets number of courts and judges
can impeach and remove judges

43. Name some checks the Supreme Court has on Congress:
can declare laws unconstitutional
can have job for life

44. Name some checks the Supreme Court has on the President:

can declare presidential actions unconstitutional

can have job for life

Chief Justice presides in impeachment trial

45. Name some checks the President has on the Supreme Court:

appoints justices

pardons and reprieves

(See help screens for a complete list of checks and balances)

46. If the Supreme Court declares a law unconstitutional, what can Congress do to make the law part of the Constitution? pass an amendment to the Constitution

47. What are some powers of the states?

tax

set up courts

take care of people's general welfare

make laws about marriage, divorce, and education

conduct elections

do all things not given to the federal government and all things that are not forbidden to the states

48. What are some things the states cannot do?

make a law that goes against the Constitution

take away people's rights

make agreements with other states about borders without permission of Congress

make treaties with other nations

49. What is impeachment? What is the procedure for impeachment and conviction? The President or federal judges are accused of wrongdoing in office. Impeachment can be brought about by a majority of the House. The Senate holds trial. The Chief Justice presides if the President is being tried. Two-

thirds vote is needed for conviction. If convicted, the person is removed from office _____.

50. Which is the highest body of law? Constitution How do we know? Article VI says that the Constitution "shall be the supreme law of the land."

51.

	House	Senate	President	Supreme Court
Length of term	2 yrs.	6 yrs.	4 yrs.	life
How old?	25	30	35	any
Citizenship requirements	7 yrs.	9 yrs.	natural-born	none
Where must they live?	state; district	state	must have lived in U.S. 14 yrs.	none
Head of it: main officer	Speaker	Vice-President	President	Chief Justice
Other officers	Majority and minority ldrs., whips	President Pro Tempore, + as in House	V.P., Cabinet, Heads of Agencies, etc.	Other Justices
What do they do in their job?	make laws, investigate	make laws, investigate	enforce laws	interpret law
Limitation on length of service? What?	none	none	2 terms or 10 years	none
How many people in this?	435	100	1	9

Help Screens

Principles in American Government

Separation of Powers

Government divided into three branches, each with its own job to do.

Checks and Balances

No one branch should become too powerful, so each branch of government has some authority over the other two.

Federalism

Relationship between two governments, one for the whole country (federal) and state governments; and relationship among states.

Protection of Rights

Government's power is limited. Certain rights remain with the people.

Separation of Powers

The legislative branch makes the law. Congress is divided into the Senate and the House of Representatives.

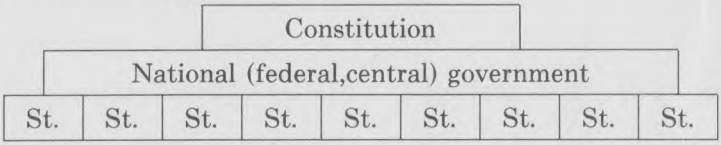
The executive branch enforces or carries out the law. The President, the Cabinet and numerous agencies help him carry out the law.

The judicial branch interprets the law (decides what it means) and decides whether someone has broken the law. The Supreme Court is the highest court.

legislative	executive	judicial

Federalism

The national government is the highest level.



States must follow federal law and the Constitution. They have reserved or "left-over" powers. States also have obligations to each other (Article IV). They retain some rights against the federal government.

Federalism

Division of power between the national government and the state governments.

1. Delegated to national government
2. Reserved to state (Amendment 10)
3. Powers of both (concurrent)
4. Prohibited to both
5. Prohibited to national government
6. Prohibited to state government

Powers of National or Federal Government

–regulate commerce-interstate and foreign
–conduct foreign affairs
–coin $, borrow $, issue $
–tax
–grant patents & copyrights
–establish postal service
–naturalize aliens
–raise and maintain military service
–make war and peace
–punish crimes against U.S.
–admit new state and territories
–set standards of weights and measures
–elastic clause– do things needed to carry out the above powers

---

Powers Denied to Federal Government
CANNOT:

–give preference to one state over another in commerce
–change states' boundaries without their consent
–deny guaranties of the Bill of Rights, including due process
–issue bills of attainder
–deny writs of habeas corpus
–enact ex post facto laws

Powers Reserved to State Governments

–establish local laws
–protect health and safety of people
–laws about marriage, family, divorce
–conduct elections
–do all things not given to the federal government, nor forbidden to the states
–provide for a state militia
–regulate commerce within state
–charter corporations
–provide schools
–issue licenses

Powers Denied to State Governments
CANNOT:

–deny people equal protection of the laws
–prevent people from voting because of race, color, sex or age
–violate federal Constitution or go against federal law
–charge poll tax to vote
–coin $
–make treaties
–grant titles of nobility
–pass ex post facto laws
–go against contracts
–enter into war unless invaded
–tax imports and exports
–keep troops or warships without consent of Congress

Powers of Both Federal and State Governments.

–tax and borrow; charter banks
–establish courts; make laws
–take property for public use with compensation
–protect public health, safety, welfare

Powers Denied Both—CANNOT:

–grant titles of nobility
–levy duties on exports
–pass ex post facto laws
–pass bills of attainder
–deny freedom of religion, speech, press
–unreasonable searches
–take away right of trial by jury
–take away other rights

Checks and Balances

Checks by executive on legislative branch

–writes and enforces laws
–veto on bills
–delivers messages to Congress
–calls Congress into special session

Checks by executive on judicial branch

-appoints judges
–pardons and reprieves
–may refuse to enforce court decisions

Checks and Balances

Checks by legislative on executive branch

–override veto (2/3)
–approve appointments (Senate-majority)
–ratify treaties (Senate-2/3)
–control budget
–impeach (majority), convict (2/3)
–investigate executive departments

Checks by legislative on judicial branch

–approve appointments of judges (Senate)
–change number of judges and courts
–propose amendments to the Constitution if Supreme Court declares law unconstitutional
–can impeach (House); convict (Senate)

Checks and Balances

Checks by judicial on executive branch

–can declare laws unconstitutional
–has position for life
–can interpret and review acts of the President

Checks by judicial on legislative branch

–can declare laws unconstitutional
–has position for life

Checks and Balances

Checks by executive on legislative branch

–carries out the laws
–veto on bills
–delivers messages to Congress
–writes laws

Checks by legislative on executive branch

–approve appointments
–ratify treaties (Senate)
–control budget
–override veto (2/3)
–impeach (majority), convict 2/3)
–investigate executive departments

Checks and Balances

Checks by legislative on judicial branch

–approve appointments of judges
–change number of judges and courts
–may propose amendments to the Constitution if Supreme Court declares law unconstitutional
–can impeach (House); convict (Senate)

Checks by judicial on legislative branch

–has position for life
–can declare laws unconstitutional

Checks and Balances

Checks by executive on judicial branch

–appoints judges
–pardons and reprieves
–may refuse to enforce court decisions

Checks by judicial on executive branch

–Has position for life
–Can interpret and review acts of the President

Amendments: Bill of Rights

Right to:

1. Freedom of speech, religion, press, assembly, petition
2. Bear arms in state militia
3. No quartering of soldiers
4. Privacy; no search or seizure without warrant
5. Indictment by grand jury; due process; no double jeopardy; no self-incrimination
6. Speedy trial; jury; witnesses; right to counsel (lawyer)
7. Jury trial in civil suits over $20
8. No excessive bail; no cruel or unusual punishment
9. Have rights beyond those in Constitution.
10. Powers not given to federal government, nor forbidden to states are saved for the states or the people.

Civil War Amendments

13. No slavery; Negroes FREE
14. Anyone is a CITIZEN if born in the U.S. States may not deprive people of: rights as citizens; due process; privileges and immunities; must give equal protection of the laws (effect of applying almost all of Bill of Rights to protection against state governments)
15. No denial of VOTE because of race;

The clues: FREE (13), CITIZEN (14), VOTE (15), may help you remember these.

Amendments 11-12; 16-26

11. can't sue state through federal courts
12. election of President and Vice-President
16. income tax
17. direct election of Senators
18. prohibition of liquor
19. no denial of vote because of sex; right to vote for women
20. changed inauguration date; no lame-duck Congress
21. repealed prohibition (18)
22. President serves no more than twice or ten years
23. electoral vote for Washington, D.C.
24. no poll tax
25. presidential disability; appoint Vice-President if none
26. Right to vote for 18-year-olds

Qualifications and Terms of Office

Office	Age	Term	Other
President	35	4 (10 year limit)	natural-born citizen; 14 years resident
Senator	30	6	9 years citizen; resident of state
Rep.	25	2	7 years citizen resident of district & state
Judge	any	life	none in Constitution

Roles of the President

–Chief executive – enforces laws; supervises Cabinet, departments; appoints, pardons, reprieves
–Chief of state – provides leadership, symbol of nation
–Chief legislator – writes and starts laws, vetoes bills, State-of-the-Union message, etc.
–Commander-in-Chief – of armed forces
–Chief diplomat – makes foreign policy, writes treaties, appoints ambassadors
–Chief of party – supports his party in elections and other ways
–Chief guardian of the economy – deals with economic problems

Court Structure

Federal judges are appointed by the President; approved by Senate (majority); removed by impeachment and conviction; serve for life

A. Supreme Court (1)
–Hears most cases on appeal
–9 justices hear cases
–only court in Constitution

B. Courts of Appeal (12)
–Cases never start here
–No juries; 3-9 judges

C. District Courts (96)
–Cases usually start here
–Jury trials; 1-24 judges

Powers of Congress (Non-legislative)

1. Impeachment proceedings (House-majority) and trial of impeachment (Senate-2/3)
2. Select President (House) and V-P (Senate) when no electoral majority
3. Approve treaties (Senate-2/3)
4. Approve appointments (Senate-majority)
5. Make investigations
6. Approve budget suggested by President
7. Propose amendments to the Constitution

Senate and House: Comparison

House: 435 members, 2 year term
–initiates revenue bills
–impeaches by majority vote
–selects President if no majority in electoral college
–Speaker chosen by majority party

Senate: 100 members, 6 year term
–ratifies treaties (2/3)
–approves appointments by President (majority)
–convicts after impeachment (2/3)
–selects Vice-President if no majority in electoral college
–Its president is the Vice-President, who votes only in case of a tie.
–President Pro Tempore chosen by majority party

Powers of Congress, Article I, Section 8

–taxes (income-16th Amendment), tariff, excise, corporate
–regulates commerce: foreign & interstate
–raises and supports armed forces
–declares war
–coins and borrows money, regulates value
–naturalization and immigration
–issues patents and copyrights
–punishes counterfeiting, treason, piracy
–admits states, regulates territories
–sets standards of weights & measures
–governs Washington, D.C.
–makes all laws necessary and proper to carry out the above powers (elastic clause)

Things Congress CANNOT do - Article I, Section 9.

-improper use of delegated powers
-delegation of powers to executive, states, people
-pass ex post facto laws
-suspend habeas corpus
-tax exports
-grant titles of nobility
-pass bills of attainder
-tax goods sent from 1 state to another

Electoral System

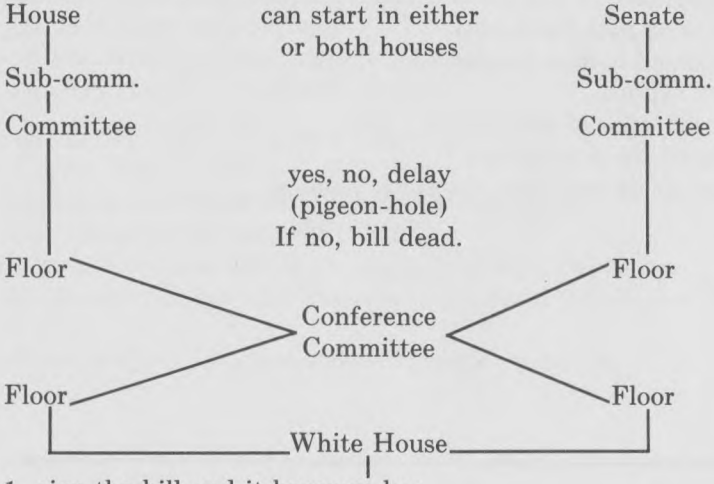
-Each state has as many electoral votes as it has Senators plus Representatives.
-Candidate who wins a state gets all the electoral votes of that state.
-Candidate needs a majority of the electoral votes to win.

Senators	=	100	
Reps	=	435	
Electoral Vote Washington, D.C.		3	
Total	=	538	(270 to win)

-Know winners right away, but official vote is in December at state capital
-Winner usually has majority of popular vote, but not necessarily.

Bill to Law

How a Bill Goes Through Congress



1. sign the bill and it becomes law
2. becomes law without his signature
3. veto and sent back to Congress for 2/3 vote
4. pocket-veto (bill is dead)

Structure of the Constitution

Articles:

I. Legislative Branch
II. Executive Branch
III. Judicial Branch
IV. Relations between the States; Powers of the States
V. Amending the Constitution
VI. Constitution as Supreme Law of the Land
VII. Ratification of the Constitution

Checks and Balances

List the checks for each branch indicated by the numbered boxes on the chart that follows.

List the checks of the . . .

1. executive branch on the legislative branch.

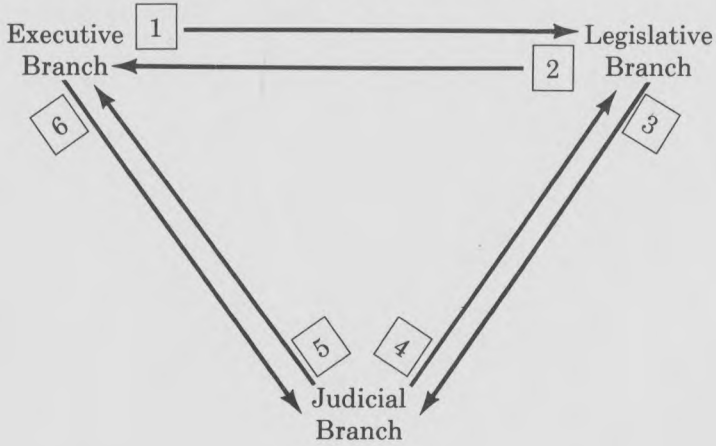
2. legislative branch on the executive branch.

3. legislative branch on the judicial branch.

4. judicial branch on the legislative branch.

5. judicial branch on the executive branch.

6. executive branch on the judicial branch.



FEDERALISM
DIVISION OF POWERS

List the powers for each of the following categories. See appropriate help screens for answers. Answers may vary.

POWERS OF FEDERAL GOVERNMENT

POWERS DENIED FEDERAL GOVERNMENT

RESERVED POWERS OF STATE GOVERNMENT

POWERS DENIED STATE GOVERNMENT

CONCURRENT POWERS OF FEDERAL AND STATE GOVERNMENT

POWERS DENIED FEDERAL AND STATE GOVERNMENT AND PERSONAL RIGHTS SUPERIOR TO NATIONAL OR STATE POWER

Matching test for extra practice

Select and write the letter of the concept of government that best describes the statements:

a. federalism
b. checks and balances
c. separation of powers
d. protection of rights

_____ 1. All powers not given to the national government are reserved for the states or for the people.

_____ 2. The President can veto a bill passed by Congress.

_____ 3. There are three branches of government, each with its own job.

_____ 4. Right of trial by jury.

_____ 5. Congress can pass a law by a 2/3 vote over the President's veto.

_____ 6. Freedom from unreasonable search.

_____ 7. The Constitution says the national government coins money and forbids the states to do so.

_____ 8. The federal government cannot change the boundaries between states without their permission.

_____ 9. The President enforces the law; the Congress makes the law; the Supreme Court interprets the law.

_____10. The Supreme Court can declare a law unconstitutional (judicial review), but then Congress could suggest (by 2/3 vote) that law as an amendment.

_____11. The Senate has to approve the appointments of the President for Supreme Court justices.

_____12. Freedom to peacefully assemble and complain to the government.

_____13. The President writes treaties, but the Senate must confirm (OK) them.

_____14. The Constitution says that the states are forbidden to make treaties; only the national government can make treaties.

_____15. The federal government cannot show any preference for one state over another in matters of commerce.

_____16. If the President does something so wrong that he should not be holding office, the House of Representatives can impeach him; then the Senate could act as a jury to convict him and remove him from office.

Select the letter that stands for the branch of government that does the job:
e) for executive
l) for legislative
j) for judicial

_____17. makes laws
_____18. vetoes bills
_____19. interprets law and the Constitution
_____20. raises an army, navy
_____21. sees that laws are enforced
_____22. Commander-in-Chief of armed forces
_____23. makes treaties
_____24. directs departments
_____25. authorizes borrowing of money
_____26. decides guilt and innocence
_____27. votes taxes

Select and write the letter of the power described that best fits each numbered item:

a) power of national government
b) power reserved for state government
c) power of both federal and state government
d) power denied to states, national government or both; or a personal right, superior to that of national or state governments

_____28. regulate interstate and foreign commerce

_____29. freedom of speech

_____30. make laws about family, marriage, divorce

_____31. conduct elections

_____32. conduct foreign affairs

_____33. right to be protected from unreasonable search and seizure

_____34. Bill of Rights

_____35. maintain an army and a navy

_____36. establish local governments

_____37. pass ex post facto laws

_____38. prevent people from voting because of race or sex

_____39. to establish courts

_____40. to tax

_____41. Congress shall establish a Supreme Court and inferior courts

_____42. right of trial by jury

_____43. make laws

_____44. grant patents and copyrights

_____45. give preference to one state over another in matters of commerce

_____46. freedom of the press

_____47. grant titles of nobility

_____48. coin money

_____49. establish post offices

_____50. There shall be a Congress composed of a Senate, with two representatives from each state and a House, to be represented according to the population of the state.

Answer Key

1. a	11. b	21. l	31. b	41. a
2. b	12. d	22. e	32. a	42. d
3. c	13. b	23. l	33. d	43. c
4. d	14. a	24. e	34. d	44. a
5. b	15. a	25. e	35. a	45. d
6. d	16. b	26. j	36. b	46. d
7. a	17. l	27. l	37. d	47. d
8. a	18. j	28. a	38. d	48. a
9. c	19. e	29. d	39. c	49. a
10. b	20. e	30. b	40. c	50. a

Bibliography

The sources below will help you in your study of the U.S. Constitution and government. More recent editions than the ones listed may be available. Most U.S. History books also have several chapters on the Constitution and how our government operates.

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